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6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,) CASE NO. S 04-467 GEB
11 Plaintiff,)
12 v.) STIPULATION AND ORDER TO
13 NOE MANZO ALVAREZ &) EXCLUDE TIME
14 CARLOS MANZO ALVAREZ,)
15 Defendants.)

16 In Court on May 20, 2005 the parties requested and agreed
17 that time beginning May 20, 2005 and extending through the next
18 status conference on July 15, 2005 should be excluded from the
19 calculation of time under the Speedy Trial Act. The parties
20 stipulate that the ends of justice are served by the Court
21 excluding such time, so that newly retained counsel for defendant
22 Noe Manzo Alvarez may have reasonable time necessary for
23 effective preparation, taking into account the exercise of due
24 diligence, and so that each defendant may have continuity of
25 counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). In particular, counsel
26 for defendant Noe Manzo Alvarez needs opportunity to review for
27 the first time the discovery in this case, and both defendants
28 need a status conference date that fits the schedules of their

1 attorneys. The parties stipulate and agree that the interests of
2 justice served by granting this continuance outweigh the best
3 interests of the public and the defendant in a speedy trial. 18
4 U.S.C. § 3161(h)(8)(A).

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7 Respectfully Submitted,

8 MCGREGOR W. SCOTT
9 United States Attorney

10 DATE: May 20, 2005

11 By: /s/ Matt Segal
12 MATTHEW D. SEGAL
13 Assistant U.S. Attorney

14 DATE: May 20, 2005

15 /s/Preciliano Martinez by MDS
16 PRECILIANO MARTINEZ
17 Attorney for Noe Manzo Alvarez

18 DATE: May 20, 2005

19 /s/Dina Santos by MDS
20 DINA SANTOS
21 Atty for Carlos Manzo Alvarez

22 **SO ORDERED.**

23 Dated: May 23, 2005

24 /s/ Garland E. Burrell, Jr.
25 GARLAND E. BURRELL, JR.
26 United States District Judge
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